United Nations A/65/723–S/2011/62

General Assembly
Security Council

Distr.: General
8 February 2011

Original: English

General Assembly
Sixty-fifth session
Agenda items 34, 39, 66 and 75

Security Council
Sixty-sixth year

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

Responsibility of States for internationally wrongful acts

Letter dated 4 February 2011 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention to ongoing violations of the ceasefire by the armed forces of the Republic of Armenia, recorded for the months of December 2010 and January 2011 (see annex). As a result, during this period two soldiers of the armed forces of the Republic of Azerbaijan were killed and two other Azerbaijani soldiers and one civilian were seriously wounded. On 17 December 2010, the Armenian side fired a 122-mm, high-explosive, fragmentation shell from a position approximately 2.5 km west of the occupied village of Talysh of the Tartar district of Azerbaijan. The shell landed near the same district's village of Borsunlu. Its trajectory was visible in the night sky and the impact was felt in nearby villages. By lucky chance, there were no casualties.

Against this background, the high-ranking officials of the Republic of Armenia continued their bellicose statements, thus openly and deliberatively challenging the perspectives of the negotiated settlement of the conflict and provoking an escalation of the situation. Thus, in his statement of 17 January 2011, full of the usual historical falsifications and factual distortions, President Serzh Sargsyan of the Republic of Armenia made it absolutely clear that the official position of Yerevan in the conflict settlement process is based upon a fundamental and persistent denial of the generally accepted principles of freedom, justice and peace (see the official website of the President of Armenia, available from http://www.president.am/events/statements/eng/?id=84).

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In an interview on 27 January 2011, President Sargsyan confirmed once again that the Armenian side considers the conflict settlement process only as a means of achieving the annexation of Azerbaijani territories that it has captured through military force and in which it has carried out ethnic cleansing. In other words, by insisting on unrealistic claims, Armenia pursues the poorly concealed object of discrediting the ongoing political process, at the core of which is the settlement formula based on putting an end to the illegal Armenian occupation, restoring the sovereignty and territorial integrity of Azerbaijan and ensuring the peaceful coexistence of Armenian and Azerbaijani communities in the Nagorno-Karabakh region within the Republic of Azerbaijan (see the official website of the President of Armenia, available from http://www.president.am/events/press/rvs/?id=60).

In another statement made the same day on the occasion of "Army Day", the President of Armenia once again resorted to open threats through disgraceful and cynical glorification of his armed forces and their heinous crimes perpetrated in the course of the aggression against Azerbaijan. It is notable that, whereas the world unambiguously qualifies the behaviour of the invading Armenian armed forces as "acts of particular gravity amounting to war crimes or crimes against humanity", the head of the Armenian State regards the same acts as "glorious victories", which paved the way for his "nation's and ... country's road in modern history". At the same time, in contrast to the usual propaganda tricks of official Yerevan aimed at misleading the international community as to Armenia's role in the war, President Sargsyan once again admitted his and his armed forces' direct responsibility for the illegal use of force against Azerbaijan, occupying its territories and committing the most serious international crimes in the course of the aggression. Such words of the head of the Armenian State as "[w]e won them paying with blood, we, all together, won them in the cruellest war" and "[c]ertainly, capabilities of our Army today cannot be compared with the capabilities that we had during the war for Artsakh" leave no doubt as to Armenia's full international responsibility for the breaches of international law that have occurred and continue to occur (see the official website of the President of Armenia, available from http://www.president.am/events/statements/eng/?id=85).

I would also like to draw your attention to the letter dated 29 December 2010 from the representative of Armenia circulated as document A/65/677-S/2010/676. The content of the letter as such represents none other than yet more mere verbiage uselessly rending the air against the background of irrefutable facts testifying to the opposite. At the same time, it is curious that the aforementioned letter of the representative of Armenia, addressed to the Secretary-General of the United Nations, before having been made available to the States Members of the United Nations, appeared first in Armenia's mass media outlets.

The annex to the aforementioned letter of the representative of Armenia containing the information on the alleged violations of the ceasefire by the armed forces of Azerbaijan, along with all previous documents of the same nature circulated by the delegation of Armenia in the United Nations, attracts particular attention. A number of apparent inaccuracies and even anecdotal inconsistencies, such as those pertaining to the suspicious lack of casualties among Armenian militaries and their enviable "ability" to uniquely determine the exact number of firearm bullets allegedly shot by the adverse party, represent obvious proof of falsifications. It is also notable that Armenia began circulating such documents in the United Nations only after Azerbaijan applied the practice of informing the

Secretary-General and Member States about the ongoing violations of the ceasefire by the armed forces of Armenia.

In conclusion, it should be pointed out that not only is the Republic of Armenia's role as the aggressor clear but the level of its continuing illegal control over the Nagorno-Karabakh region and other occupied territories of Azerbaijan entails State responsibility under international law. The primary obligation upon Armenia is to cease its destructive policy of annexation and ethnic cleansing, renounce its attempts to discredit the peace process and ensure that the occupation of Azerbaijani territory is ended and that the inalienable right of Azerbaijani internally displaced persons to return to their places of origin is recognized and implemented.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 34, 39, 66 and 75, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

Annex to the letter dated 4 February 2011 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Violations of the ceasefire by the military forces of the Republic of Armenia[a] for the months of December 2010 and January 2011

Date	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
17 December 2010	21.30	2.5 km west of the occupied Talysh village, Tartar district, Azerbaijan	Borsunlu village, Goranboy district, Azerbaijan	Artillery shell (122-mm rocket high-explosive shell)	—
6 January 2011	08.15	Occupied Marzili village, Agdam district, Azerbaijan	Adjacent area	Firearm and machine gun	20-year-old soldier of the Azerbaijani armed forces, Huseynov Ulvi Iftikhar, was seriously wounded
	09.15-09.25	Occupied unknown heights, Gazakh district, Azerbaijan	Adjacent area	Firearm and machine gun	—
	20.00-20.35	Unknown heights, Berd region, Armenia	Garalar village, Tovuz district, Azerbaijan	Firearm and machine gun	—
	20.00-20.35	Occupied Tapgaragoyunlu village, Goranboy district, Azerbaijan	Adjacent area	Firearm and machine gun	—
17 January	12.30-12.55	Occupied area outside Chilaburt village, Tartar district, Azerbaijan	Adjacent area	Firearm and machine gun	21-year-old Azerbaijani soldier, Mammad Azadaliyev, was killed

[a] Settlements of the Republic of Azerbaijan included in this information are under occupation by the Republic of Armenia or close to fire point areas.

Date	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
20 January	10.00-10.55	Occupied area outside Chilaburt village, Tartar district, Azerbaijan	Adjacent area	Firearm and machine gun	25-year-old Azerbaijani soldier, Shamil Sadigov, was seriously wounded
23 January	13.00-13.35 14.35-14.40	Vazashen village, Idjevan region, Armenia	Adjacent heights, Gazakh district, Azerbaijan	Firearm and machine gun	—
	17.10-17.15	Aygovit village, Idjevan region, Armenia	Bala Jafarli village, Gazakh district, Azerbaijan	Firearm and machine gun	—
	18.10-18.15	Berdavan village, Noenberyan region, Armenia	Kamarli village, the Gazakh district, Azerbaijan	Firearm and machine gun	—
	19.10-19.15 20.40-20.50 22.20-22.25	Aygovit, Azatamut and Berkaber villages, Idjevan region, Armenia	Bala Jafarli, Jafarli and Gizil Hajili villages, Gazakh district, Azerbaijan	Firearm and machine gun	—
25 January	15.20-15.50	Occupied Kangarli village, Agdam district, Azerbaijan	Chiragli village, Agdam district, Azerbaijan	Firearm and machine gun	59-year-old Azerbaijani civilian, Aslanova Aida, was seriously wounded
		Occupied area outside Javahirli village, Agdam district, Azerbaijan	Javahirli village, Agdam district, Azerbaijan	Firearm and machine gun	26-year-old Azerbaijani soldier, Zamin Mammadov, was killed
27 January	17.12-17.15	Azatamut village, Idjevan region, Armenia	Jafarli village, Gazakh district, Azerbaijan	Firearm and machine gun	—
	22.20-22.23	Occupied unknown heights, Jabrayil district, Azerbaijan	Adjacent area	Firearm and machine gun	—

Date	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
28 January	10.25-10.30	Unknown heights, Noenberyan region, Armenia	Adjacent heights, Gazakh district, Azerbaijan	Firearm and machine gun	—
	14.10-14.35 17.20-17.25	Voskepar and Dovekh villages, Armenia	Adjacent heights, Gazakh district, Azerbaijan	Firearm and machine gun	—
	14.05-14.10	Vazashen village, Idjevan region, Armenia	Adjacent heights, Gazakh district, Azerbaijan	Firearm and machine gun	—
	23.10-23.20	Occupied area outside Goyarkh village, Tartar district, Azerbaijan	Adjacent area	Firearm and machine gun	—
29 January	00.15-00.20	Occupied unknown heights, Jabrayil district, Azerbaijan	Adjacent area	Firearm and machine gun	—
30 January	10.20-10.25	Vazashen village, Idjevan region, Armenia	Adjacent heights, Gazakh district, Azerbaijan	Firearm and machine gun	—
	11.00-11.05	Occupied unknown heights, Khojavand district, Azerbaijan	Adjacent area	Firearm and machine gun	—